

FILED

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DEC 22 2016

Clerk, U.S. District Court
District Of Montana
Billings

ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**JOSHUA JAMES COOLEY,
DAVID BLAINE, JR., and
JANNA RONELLE FALLS DOWN,**

Defendants.

CR 16- 117 -BLG-SPW

INDICTMENT

**FALSE STATEMENT DURING
FIREARMS TRANSACTION**
Title 18 U.S.C. §§ 922(a)(6), 922(a)(2)
(Counts I and II)
(Penalty: Ten years imprisonment,
\$250,000 fine, and three years supervised
release)

**AIDING AND ABETTING IN FALSE
STATEMENT DURING FIREARMS
TRANSACTION (Counts III-IV)**
Title 18 U.S.C. §§ 2, 922(a)(6), 924(a)(2)
(Penalty: Ten years imprisonment,
\$250,000 fine, and three years supervised
release)

**FELON IN POSSESSION OF A
FIREARM**
Title 18 U.S.C. § 922(g)(1) (Count V)
(Penalty: Ten years imprisonment,
\$250,000 fine, and three years supervised
release)

THE GRAND JURY CHARGES:

COUNT I

That on or about February 16, 2016, at Billings, in the State and District of Montana, the defendant, JANNA RONELLE FALLS DOWN, in connection with her acquisition of a firearm, that is, a Ruger, model SR1911, .45 caliber semi-automatic pistol (SN: 671-88720), and a Ruger, model SR1911, .45 caliber semi-automatic pistol (SN: 671-88667), from Cabela's, a licensed firearms dealer, knowingly made a false and fictitious written statement to that dealer which statement was likely to deceive Cabela's as to a fact material to the lawfulness of such acquisition of the said firearm by the defendant under chapter 44 of Title 18, of the United States Code, that is, the defendant represented on an ATF Firearms Transaction Record form 4473 that she was the "actual buyer," when in truth and in fact, as the defendant then well knew, she was purchasing the firearms on behalf of, David Blaine, Jr. and Joshua James Cooley, in violation of 18 U.S.C. §§ 922(a)(6), 924(a)(2).

COUNT II

That on or about February 16, 2016, at Billings, in the State and District of Montana, the defendant, JANNA RONELLE FALLS DOWN, in connection with her acquisition of a firearm, that is, a Tanfoglio, model Witness Limited, .45 ACP caliber, semi-auto pistol (SN: MT15827), from Daddy-O's Pawn, a licensed

firearms dealer, knowingly made a false and fictitious written statement to that dealer which statement was likely to deceive Daddy-O's Pawn as to a fact material to the lawfulness of such acquisition of the said firearm by the defendant under chapter 44 of Title 18, of the United States Code, that is, the defendant represented on an ATF Firearms Transaction Record form 4473 that she was the "actual buyer," when in truth and in fact, as the defendant then well knew, she was purchasing the firearms on behalf of, David Blaine, Jr. and Joshua James Cooley, in violation of 18 U.S.C. §§ 922(a)(6), 924(a)(2).

COUNT III

That on or about February 16, 2016, at Billings, in the State and District of Montana, the defendants, JOSHUA JAMES COOLEY and DAVID BLAINE, JR., did knowingly and unlawfully, aid, abet, counsel, command, and induce another person, a "straw buyer," in connection with the acquisition of a Ruger, model SR1911, .45 caliber semi-automatic pistol (SN: 671-88720), and a Ruger, model SR1911, .45 caliber semi-automatic pistol (SN: 671-88667), from a licensed firearms dealer, to make a false and fictitious written statement, which was intended and likely to deceive the dealer with respect to a fact material to the lawfulness of the acquisition of such firearm, that is, the defendants, JOSHUA JAMES COOLEY and DAVID BLAINE, JR., directed or induced the "straw buyer" to answer "YES" to a written question asking whether that person was the

actual purchaser of the firearm, when in truth and in fact, as JOSHUA JAMES COOLEY and DAVID BLAINE, JR. well knew, that person was not the actual purchaser of the firearm, in violation of 18 U.S.C. §§ 2, 922(a)(6), 924(a)(2).

COUNT IV

That on or about February 16, 2016, at Billings, in the State and District of Montana, the defendants, JOSHUA JAMES COOLEY and DAVID BLAINE, JR., did knowingly and unlawfully, aid, abet, counsel, command, and induce another person, a “straw buyer,” in connection with the acquisition of a Tanfoglio, model Witness Limited, .45 ACP caliber, semi-auto pistol (SN: MT15827), from a licensed firearms dealer, to make a false and fictitious written statement, which was intended and likely to deceive the dealer with respect to a fact material to the lawfulness of the acquisition of such firearm, that is, the defendants, JOSHUA JAMES COOLEY and DAVID BLAINE, JR., directed or induced the “straw buyer” to answer “YES” to a written question asking whether that person was the actual purchaser of the firearm, when in truth and in fact, as JOSHUA JAMES COOLEY and DAVID BLAINE, JR. well knew, that person was not the actual purchaser of the firearm, in violation of 18 U.S.C. §§ 2, 922(a)(6), 924(a)(2).

COUNT V

That on or about February 16, 2016, at Billings, in the State and District of Montana, the defendant, JOSHUA JAMES COOLEY, having been convicted on or

about December 7, 2011, of a crime punishable by imprisonment for a term exceeding one year under the laws of the State of Wyoming, did knowingly possess, in and affecting interstate commerce, any one or all of the following firearms: namely, a Ruger, model SR1911, .45 caliber semi-automatic pistol, (SN: 671-88720), a Ruger, model SR1911, .45 caliber semi-automatic pistol (SN: 671-88667), and a Tanfoglio, model Witness Limited, .45 ACP caliber, semi-auto pistol (SN: MT15827), in violation of 18 U.S.C. § 922(g)(1).

A TRUE BILL.

FOREPERSON SIGNATURE REDACTED.

FOREPERSON

[Signature]
MICHAEL W COTTER
United States Attorney

[Signature]
JOSEPH E. THAGGARD
Criminal Chief Assistant U.S. Attorney

Crim. Summons _____
✓ Warrant: Blaine Jr., Falls Down
Bail: 0
Cooley- USMS Custody